IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

HAKEEM BURROUGHS, : No. 3:24cv943

Plaintiff

: (Judge Munley)

V.

(Magistrate Judge Carlson)

UNITED STATES OF AMERICA,

Defendant

ORDER

AND NOW, to wit, this _____ day of June 2025, before the court for disposition is Magistrate Judge Martin C. Carlson's report and recommendation ("R&R"), which proposes the denial of defendant's motion to dismiss. No objections to the R&R have been filed, and the time for such filing has passed. Therefore, in deciding whether to adopt the R&R, the court must determine if a review of the record evidences plain error or manifest injustice. FED. R. CIV. P. 72(b) 1983 Advisory Committee Notes ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record to accept the recommendation"); see also 28 U.S.C. § 636(b)(1); Sullivan v. Cuyler, 723 F.2d 1077, 1085 (3d Cir. 1983).

After review, the court finds neither a clear error on the face of the record nor a manifest injustice, and therefore, the R&R shall be adopted. It is hereby ORDERED as follows:

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- 1) Magistrate Judge Carlson's R&R, (Doc. 12), is ADOPTED;
- 2) The defendant's motion to dismiss, (Doc. 6), is DENIED; and
- 3) This matter is remanded to Magistrate Judge Carlson for further pre-trial management and the issuance of an R&R.

BY THE COURT:

JUDGE JULIA K. MUNLEY
United States District Court